



Patent
Attorney Docket No. 021565-060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Peter Michael Waterhouse et al.

Application No.: 09/287,632

Filing Date: April 7, 1999

Title: METHODS AND MEANS FOR OBTAINING MODIFIED PHENOTYPES

Group Art Unit: 1635

Examiner: JANE J ZARA

Confirmation No.: 6526

TWELFTH
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a TWELFTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☒ A check in the amount of \$ 180.00 is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

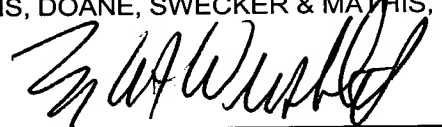
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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(703) 836-6620

By


Eric H. Weisblatt
Registration No. 30,505

Date: June 2, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Peter Michael Waterhouse et al.

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For: METHODS AND MEANS FOR
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) Group Art Unit: 1635

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TWELFTH INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

Also enclosed is a copy of Comments filed in the prosecution of a counterpart European patent application by an anonymous third party under Article 115 EPC.

To assist the Examiner, the documents are listed on the attached forms PTO-1449. It is respectfully requested that an Examiner initialed copy of these forms be returned to the undersigned. Form PTO-1449 entitled "Twelfth Information Disclosure Statement I" lists six references not believed to have been previously submitted. Form PTO-1449 entitled "Twelfth Information Disclosure Statement II" lists seven references believed to have been previously submitted.

The article by Fire et al. was considered no later than July 11, 2002; WO 99/32619, WO 99/49029 and WO 98/53083 were submitted no later than with an Information Disclosure Statement dated April 23, 2002; the articles by Dorer et al. and Sijen et al. were submitted no later than by an Information Disclosure Statement dated March 11, 2003; and WO 97/01952 was considered March 5, 2005.

06/03/2005 HALI11 00000126 09287632

01 FC:1806

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VA 749073.1

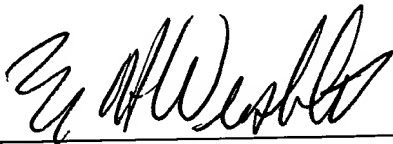
Copies of all 13 references are being submitted because all are recited in the enclosed Comments filed by an anonymous third party.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date June 2, 2005

By:


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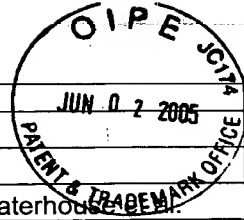
TWELTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT - I

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number 09/287,632
 Filing Date April 7, 1999
 First Named Inventor Peter Michael Waterhouse
 Examiner Name JANE J ZARA
 Attorney Docket Number 021565-060



U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS

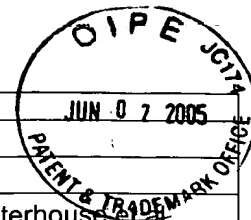
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	WO 94/01550		PCT	01-20-1994							

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	R. Jorgensen et al., "T-DNA is Organized Predominantly in Inverted Repeat Structures in Plants Transformed with <i>Agrobacterium tumefaciens</i> C58 Derivatives," MOL. GEN. GENET. 207:471-477 (1987)
	A. Kuipers, et al., "Factors Affecting the Inhibition by Antisense RNA of Granule-Bound Starch Synthase Gene Expression in Potato," MOL. GEN. GENET. 246:745-755 (1995)
	M. Hergersberg, Inaugural-Dissertation, Universität Köln (1998)
	K. Redenbaugh et al., "Safety Assessment of Genetically Engineered Fruits and Vegetables – A Case Study of the FlavrSavr™ Tomato," CRC Press (1992)
	R. Van Blokland et al., "Post-Transcriptional Suppression of Chalcone Synthase Genes in <i>Petunia Hybrida</i> and the Accumulation of Unspliced pre-mRNAs, Mechanisms and Applications of Gene Silencing," Grierson et al, (Eds), Nottingham University Press (1996)

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



TWELTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT - II

(use as many sheets as necessary)

Sheet	1	of	1	Application Number	09/287,632
				Filing Date	April 7, 1999
				First Named Inventor	Peter Michael Waterhouse et al.
				Examiner Name	JANE J ZARA
				Attorney Docket Number	021565-060

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	WO 99/32619 (w/copy of priority document)		PCT	07-01-1999							
	WO 99/49029 (w/copy of priority document)		PCT	09-30-1999							
	WO 98/53083 (w/copy of priority document)		PCT	11-26-1998							
	WO 97/01952		PCT	01-23-1997							

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	D.R. Dorer et al., "Expansions of Transgene Repeats Cause Heterochromatin Formation and Gene Silencing in <i>Drosophila</i> ," CELL, 77(7):993-1002 (1994)
	T. Sijen et al., "RNA-Mediated Virus Resistance: Role of Repeated Transgenes and Delineation of Targeted Regions," THE PLANT CELL, 8:2277-2294 (1996)
	Fire et al., "Potent and Specific Genetic Interference by Double-Stranded RNA in <i>Caenorhabditis elegans</i> ," NATURE 391:806-811 (1998)

Examiner Signature		Date Considered	
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